
REMARKS

Claims 1-39 are currently pending in the subject application and are presently under consideration. A listing of the claims is found at pages 2-10. Claims 1-22, 24-29, and 31-39 have been amended herein. New claims 40-48 have been added for consideration. Figures 7 and 8 have been corrected. No new matter has been added.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. In the Drawings

Minor informalities have been corrected in Figures 7 and 8.

II. Objection to Claim 31

Claim 31 stands objected to because of minor informalities. Appropriate correction has been made, and withdrawal of this objection is respectfully requested.

III. Rejection of Claims 1-39 Under 35 U.S.C. §102(b)

Claims 1-39 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jones *et al.* (U.S. 5,666,501).

Applicants' representative respectfully requests withdrawal of this rejection for at least the following reasons. Jones *et al.* does not teach or suggest each and every limitation recited in the subject claims.

“A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987) Emphasis added. “The identical invention must be shown in as complete detail as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Jones *et al.* teaches a method, apparatus, and memory for installing software stored on a second machine to a first machine in a distributed computing environment. A graphical user interface (GUI) enables a user to manually select the software from various source media (local and/or remote) and to manually choose from software bundles of a selected source media. All or part of the software of a selected bundle can also be manually chosen by the user for install. The GUI also includes display controls that allow the user to manually control and manipulate a software item in a panel of software items presented for installation.

As amended, claim 1 recites in part that the software installation is performed on a "...server computer system." Additionally, "...a setup component *senses an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*" Various claimed aspects of the subject invention utilize a software tool that includes a setup component that senses a registry attribute and selectively provides in accordance therewith a setup prompt to allow a user to install the software or portions thereof on a server in accordance with features associated with a low functionality suite and a higher functionality suite. In contrast, Jones *et al.* neither teaches nor suggests a software tool that senses a registry attribute related to such low functionality suite package and higher functionality suite package as in the claimed invention. Similar limitations are also recited in amended independent claims 14, 21, 28, 35, and 39, new independent claim 40.

As recited in amended claim 14, the software installation is performed on a "...server computer system." Additionally, "...a setup component *senses an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*"

Regarding claim 21, the setup operation method is performed on a "...server computer system." Additionally, the setup is performed by "*sensing an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*"

Likewise, claim 28 has been amended in part to reflect that the setup operation method is performed on a "...server computer system." Additionally, the setup is

performed by “*sensing an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*”

In claim 35, the software tool setup operation is performed on a “...*server computer system.*” Additionally, the setup is performed using “means for *sensing an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*”

Regarding claim 39, data packets are transmitted between two *server* processes, which include a setup component that “*senses an attribute of a registry...which attribute is associated with a low functionality suite package and a higher functionality suite package...*”

New claim 40 recites similar limitations for installation of a *server operating system*, which includes a set component that “...*senses an attribute of a registry...and provides...at least one of standard prompts for loading a standard functionality installation of server components and special prompts for loading a special lower functionality installation of server components...*”

In contrast to the above-noted independent claims, Jones *et al.* neither teaches nor suggests installation of such a server operating system that senses a registry attribute related to loading a standard functionality installation and a lower functionality installation as in the claimed invention. Rather, Jones *et al.* teaches installation of software from a first machine to a second machine by displaying installable source objects. In response to manual selection of a source object, associated software bundle objects are displayed for installation. The user selects one of the bundle objects for installation. On the other hand, applicants’ invention, as recited in the subject claims, provides a tool that performs automatic installation of the appropriate server software by sensing a registry attribute and providing prompts to the user during installation.

In view of the foregoing, applicants’ representative submits that these independent claims and those that depend therefrom are neither anticipated nor suggested by Jones *et al.* and this rejection should be withdrawn.

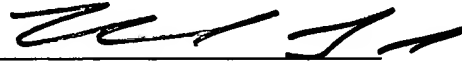
CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,
AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731